

**REMARKS**

Claims 26, 28, 30 and 31 are now in this application. Claims 26 and 28 are rejected. Claims 26 and 28 are amended herein to clarify the invention and to address matters of form unrelated to substantive patentability issues. New claims 30 and 31 are added.

Claims 26 and 28 are rejected under 35 U.S.C. §103(a) as obvious over Matsumura et al., U.S. Patent No. 4,088,909, Yamagami et al., JP 411283817A and Takahashi, U.S. Patent No. 5,728,232. Applicant traverses these rejections as follows.

The present invention provides a rotor magnet comprising a cylindrical shaped molded body of a mixture of magnetic powder of SmFeN and a resin binder wherein said magnetic powder is in the form of particles of a size of not greater than 10  $\mu\text{m}$  and uniformly and densely packed. Since the magnetic powder is in the form of particles of a size of not greater than 10  $\mu\text{m}$  and uniformly and densely packed, it is possible to provide a rotor magnet that has no dispersion of poles. The dispersion of poles means unevenness of angles between magnetized poles and unevenness of peak values of surface inductive flux. Therefore, the rotor rotates smoothly.

In contrast to the present invention, Matsumura, US4088909 discloses a basic structure of a motor comprising: a stator (12) and a rotor assembly (11) having a rotor permanent magnet(21) and Yamagami, 7P411283817A discloses that resin-bonded-SmFeN-molded magnet would have high heat resistance, superior size stability, high mechanical strength and superior magnetic characteristics (maximum energy product: BH<sub>max</sub>). Matsumura and Yamagami, however, fail to disclose or suggest the feature that the magnetic powder is in the form of particles of a size of not greater than 10  $\mu\text{m}$  and uniformly and densely packed.

To establish obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on the applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991)."

MPEP §706.02(j) "Contents of a 35 U.S.C. §103 Rejection". Since the present invention has the above-mentioned feature that is not disclosed and suggested by Matsumura and Yamagami, it is possible to provide a rotor having an excellent characteristic with no dispersion of poles by incorporating a feature not disclosed nor suggested by the references. Thus, it is respectfully submitted that the rejected claims are not obvious in view of the cited references for the reasons stated above.

Reconsideration of the rejections of claims 26 and 28 and their allowance are respectfully requested.

Applicant respectfully requests a three month extension of time for responding to the Office Action. Please charge the fee of \$930.00 for the extension of time to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,  
JORDAN AND HAMBURG LLP

By Frank J. Jordan  
Frank J. Jordan  
Reg. No. 20,456

Attorney for Applicants

and,

By Herbert F. Ruschmann  
Herbert F. Ruschmann  
Reg. No. 35,341  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340

**APPENDIX I****AMENDED CLAIMS WITH AMENDMENTS INDICATED THEREIN****BY BRACKETS AND UNDERLINING**

26. (Thrice Amended) A rotor magnet comprising [:

]a cylindrical shaped molded body of a mixture of magnetic powder of SmFeN and a resin binder, said molded body having at least one North pole and at least one South pole at alternating positions along a circumference of the molded body[; and], wherein said magnetic powder is in the form of particles of a size not greater than 10 $\mu$ m and uniformly and densely packed [

a phosphate coating entirely covering an outside surface of the molded body, wherein said phosphate coating is an iron-hydrogenphosphate coating combined with an unstable Fe of the Fe component included in the body].

28. (Twice Amended) A motor comprising:

a stator; and

a rotor magnet, said rotor magnet having [:

]a cylindrical shaped molded body of a mixture of magnetic powder of SmFeN and a resin

binder, said molded body having at least one North pole and at least one South pole at alternating positions along a circumference of the molded body;

[and

a phosphate coating entirely covering an outside surface of the molded body, wherein said phosphate coating is an iron-hydrogenphosphate coating combined with an unstable Fe of the Fe component included in the body]

wherein said magnetic powder is in the form of particles of a size not greater than 10 $\mu$ m and uniformly and densely packed.